

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

JOSÉ MOLINELLI-FREYTES, et al.,

Plaintiffs,

v.

UNIVERSITY OF PUERTO RICO, et al.,

Defendants.

CIVIL NO.: 09-1655 (DRD)

ORDER

The court has reviewed the attached submissions by plaintiffs, the UPR Defendants and PR CHE regarding an ongoing discovery dispute and makes the following determinations:

Regarding the relief requested by the UPR Defendants, those requests are hereby GRANTED. Concerning Dr. Bird, plaintiffs shall inform the UPR Defendants by April 8, 2011 whether the documents produced via e-mail (see Docket Nos. 300-12; 300-13; 300-14) were subsequently included in the Doubledey production, and – if they were not – to identify to which specific interrogatory or discovery request said documents are responsive. As to Dr. Molinelli, given that in his response to plaintiffs' interrogatories and discovery requests he indicated that Dr. Bird would "supply as part of her own interrogatory the letters and documentation on which these answers are based," plaintiffs shall inform the UPR Defendants by April 8, 2011 whether the documents so referenced were produced in response to the same interrogatories and discovery requests as indicated by Dr. Bird. (Docket No. 300-9, p. 2.)

As to the relief requested by plaintiffs, their request to nullify the confidentiality agreement entered into with the UPR Defendants on December 6, 2011 (Docket No. 300-3) is hereby DENIED, as it was executed by plaintiffs' counsel without any evidence of duress. The court also DENIES plaintiffs' request for the production of all "public documents requested by [p]laintiffs to PR-CHE without the need of executing any further documents or any further delays". (Docket No. 300-1, p. 5.) Plaintiffs shall have until April 8, 2011 to enter into a stipulated protective order with the UPR Defendants governing the confidentiality and disclosure of the documents in question. If plaintiffs execute said protective order, the UPR Defendants shall by April 15, 2011 produce all documents that it agreed to produce subject to a protective order, as indicated in Docket No. 300-6. As to documents to which the UPR Defendants have remaining objections, plaintiffs shall have until April 13, 2011 to file a motion to compel identifying with specificity the relevance of each requested document. The UPR Defendants' response in opposition shall be due April 15, 2011.

As to the letters submitted by defendant PR CHE concerning objections to the interrogatory responses of Dr. Bird (Docket No. 300-16) and Dr. Molinelli (Docket No. 300-15), PR CHE shall file a motion to compel by April 8, 2011, and plaintiffs shall file their response to said motion by April 12, 2011.

In San Juan, Puerto Rico, this 5th day of April, 2011.

s/Marcos E. López
U.S. Magistrate Judge